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MEMO ENDORSED

October 5, 2023

VIA ELECTRONIC FILING

Hon. Judge Edgardo Ramos

U.S. District Court

Southern District of New York

40 Foley Square, Courtroom 619

New York, NY 10007

The parties are directed to take the witness's deposition forthwith and to then meet and confer regarding any objections. The parties are directed to submit a joint status report as to any outstanding objections by October 12, 2023 at noon. SO ORDERED.

Edgardo Ramos, U.S.D.J.

Dated: October 9, 2023

New York, New York

Re: *Curtis v. Hilton Worldwide Holdings Inc. et al*

Civil Action No.: 1:18-cv-03068-ER

File No.: H-14431

Dear Hon. Judge Ramos:

We represent the defendants, *Hilton Garden Inn New York/Central Park, Hilton Garden Inns Management LLC, Moinian, LLC, The Moinian Development Group and 237 West 54th Street LLC*, with respect to the above-referenced matter.

This letter is being written to the Court, as directed, in response to plaintiff's request to file a motion permitting the video deposition of plaintiff's life care planner, to be taken and played for the jury at the time of trial.

To begin, this Court is reminded that defendants, Hilton / Moinian, had filed a motion in limine with regard to the expected testimony of Dr. Davis, plaintiff's life care planner, and precluding and or limiting same due to the opinions expressed by Dr. Davis regarding plaintiff's need for future surgery when Dr. Davis is not a medical doctor and only a nurse practitioner.

In that regard, defendants would have no objection to the video taped deposition, however they will object to any of the video being played at the time of trial until such time as this Court has ruled on the defendants, Hilton / Moinian's, motion in limine, and then rules on all objections raised during the course of the video deposition so that same may edited out of the video prior to being played for the jury.

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Thank you for your courtesies and consideration in this matter.

Respectfully submitted,

SOBEL PEVZNER, LLC

Aaron C. Gross

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AG:lml

CC: ALL PARTIES VIA ECF